

AN ORDINANCE 2006-03-30-0410

**ACCEPTING A PERMANENT DRAINAGE EASEMENT DEDICATION FROM  
MG BUILDING MATERIALS, LTD., CONSISTING OF A 0.0927 ACRE TRACT  
OF LAND OUT OF LOT 8, BLOCK 12, LOCATED IN NEW CITY BLOCK 12501,  
WITHIN THE SENISA TERRACE SUBDIVISION, LOCATED IN DISTRICT 4.**

\* \* \* \* \*

**WHEREAS**, MG Building Materials, Ltd., a Texas limited partnership desires to dedicate to the City of San Antonio a permanent drainage easement that consists of a 0.0927 acre tract of land out of Lot 8, Block 12, New City Block 12501, within the Senisa Terrace Subdivision in order to serve their new building site, **NOW, THEREFORE**,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The Permanent Easement Dedication consisting of a 0.0927 acre tract of land out of Lot 8, Block 12, New City Block 12501, within the Senisa Terrace Subdivision, located in Council District 4 is hereby accepted from MG Building Materials, Ltd., a Texas limited partnership, its predecessor in interest or any other predecessor in interest from which it would be appropriate to secure a correction deed, if required. A copy of the respective deed is attached hereto and incorporated herein for all purposes as **Attachment I**.

**SECTION 2.** The donation value was extracted using the percentage of the property donated applied to 2005 appraisal values listed on the BCAD website. The value of \$4,562.00 will be recorded with an in kind transaction.

**SECTION 3.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers as necessary to carry out the purpose of this Ordinance.

**SECTION 4.** This ordinance shall take effect on the 9th of April, 2006.

**PASSED AND APPROVED** this the 30th day of March, 2006.

  
M A Y O R

**PHIL HARDBERGER**

**ATTEST:**

  
CITY CLERK

**APPROVED AS TO FORM:**

  
City Attorney

**Notice of Confidentiality Rights: If You Are a Natural Person, You May Remove or Strike Any or All of the Following Information from this Instrument Before it Is Filed for Record in the Public Records: Your Social Security Number or Your Driver's License Number.**

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State of Texas       §  
                              §       **Know All By These Presents:**  
County of Bexar     §

**Public Easement Dedication**

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**Grantor:** MG Building Materials, Ltd., a Texas limited partnership

**Grantor's Address:** 227 New Laredo Highway, San Antonio, Texas 78211  
(Bexar County)

**Purpose of Easement:** Constructing, reconstructing, inspecting, patrolling, maintaining, and repairing storm drainage facilities; relocating such facilities within the Subject Property; removing from the Subject Property all trees and parts thereof, and other obstructions that may interfere with the exercise of the rights granted hereunder; together with the right of ingress and egress over the Subject Property for the purpose of exercising all other rights hereby granted

**Subject Property:** 0.0927 acres, more or less, out of Lot 8, Block 12, NCB 12501, Senisa Terrace Subdivision, City of San Antonio, Bexar County, Texas according to plat thereof filed of record in Volume 9562, Page 8, Deed and Plat Records of Bexar County, Texas, the Subject Property being more particularly described on **Exhibits A and B**, which are incorporated herein by reference for all purposes as if they were fully set forth.

Grantor grants, dedicates, and conveys to the public, for and in consideration of the benefits accruing to Grantors, to Grantors' other property, and to the public generally, a easement in gross over, across, under, and upon the Subject Property. Grantor covenants for itself, its heirs, executors, successors, and assigns that no permanent building or obstruction of any kind will be placed on the Subject Property.

**To Have and To Hold** the above described easement and rights unto the public until its use is abandoned.

Grantors bind themselves, their heirs, executors, successors, and assigns, to warrant and forever defend all and singular the above described easement and rights unto the public against every person whomsoever lawfully claiming or to claim the same or any part thereof.

Witness my hand, this 9<sup>th</sup> day of January, 2006

**MG Building Materials, Ltd.**, by and  
through its sole general partner

MGAFG, LLC, a Texas limited  
liability company.

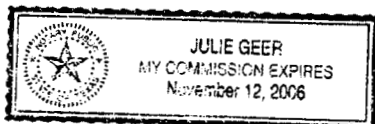
By: Alan F. Grothues  
Alan F. Grothues, President

State of Texas           §

County of Bexar       §

This instrument was acknowledged before me this date by Alan F. Grothues, President of MGAFG, LLC, a Texas limited liability company, in the capacity therein stated and on behalf of that entity in that entity's capacity as sole general partner of MG Building Materials, Inc.

Date: January 9, 2006



Julie Geer  
Notary Public, State of Texas  
My Commission expires: 11-12-06

Accepted under Ordinance: \_\_\_\_\_ (No. & Date)

Approved As To Form:

\_\_\_\_\_  
City Attorney

## Exhibit A



MACINA · BOSE · COPELAND and ASSOCIATES, INC  
CONSULTING ENGINEERS AND LAND SURVEYORS

1035 Central Parkway North, San Antonio, Texas 78232 -  
(210) 545-1122 FAX (210) 545-9302  
www.mbcengineers.com

### METES AND BOUNDS DESCRIPTION OF

A 0.0927 OF AN ACRE (4,038 SQUARE FEET) TRACT OF LAND OUT OF LOT 8, BLOCK 12, NEW CITY BLOCK 12501, SENISA TERRACE SUBDIVISION AS RECORDED IN VOLUME 9562, PAGE 8, DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED IN A CLOCKWISE MANNER AS FOLLOWS:

**BEGINNING:** At a found ½" iron rod and cap "MBC" at the northeast corner of said Lot 8, said iron rod also marks a non-tangent point in a curve to the left and a point in the southwest right-of-way line of Wabash Street (a 60 foot public right-of-way, Plat Volume 3700, Page 43);

**THENCE:** 196.23 feet, along and with the southwest right-of-way line of said Wabash Street and said curve, having a central angle of 01°55'46", a radius of 5,827.35, a chord bearing of S 18°14'17" E and a chord distance of 196.22 feet to a point;

**THENCE:** N 90°00'00" W, 6.92 feet to a point in the southwesterly line of a variable width drainage easement (Plat Reference: Volume 9562, Page 8);

**THENCE:** S 17°12'06" E, 2.90 feet, along and with said drainage easement line, to a point;

**THENCE:** S 00°00'00" E, 7.50 feet, continuing along and with said drainage easement line, to a point;

**THENCE:** S 20°40'42" E, 6.41 feet, continuing along and with said drainage easement line, to a point, the southeast corner of this parcel;

**THENCE:** N 90°00'00" W, 254.48 feet to a point in the east line of a varying width drainage easement (Deed Reference: Volume 5880, Page 2023), said point being the southwest corner of this parcel;

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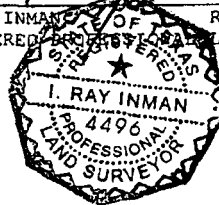
ROBERT A. COPELAND, P.E. • ROBERT A. LIESMAN, P.E. • SAMUEL B. BLEDSOE, III, P.E.  
DAVID L. ALLEN, P.E. • ROBERT A. COPELAND, JR., P.E.

THENCE: N 00°10'40" W, 16.27 feet, along and with the east line of said drainage easement, to a point, the northwest corner of this parcel;

THENCE: S 90°00'00" E, 248.08 feet, to the POINT OF BEGINNING of the herein described parcel.

I, I. Ray Inman, Registered Professional Land Surveyor do hereby affirm that this description is based on the results of a survey made on the ground by the firm of Macina, Bose, Copeland and Associates, Inc., of which a survey map has been prepared.

I. RAY INMAN OF REG. NO. 4496  
REGISTERED PROFESSIONAL LAND SURVEYOR



#28405-1167  
June 6, 2005  
IRI/lk

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# Exhibit B

